

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

UNITED STATES OF AMERICA, ex rel., §
JOHN BECKER, et al., §
§
Plaintiffs, §
§
v. § Civil Action No. 3:05-CV-0627-L
§ (consolidated with Civil Action No.
TOOLS & METALS, INC., et al., § 3:05-CV-2301-L)
§
§
Defendants. §

DEFAULT JUDGMENT AGAINST DEFENDANT LOFTIS

This judgment is issued in accordance with the court's order dated July 27, 2009, in which the court determined that the United States and Relators John Becker and Robert Spencer have satisfied the requirements of Rule 55 of the Federal Rules of Civil Procedure related to entry of a default judgment against Defendant Todd B. Loftis.

Therefore, it is ORDERED, ADJUDGED AND DECREED that, as a result of Defendant Loftis's failure to enter an appearance in this matter, all of the allegations against Defendant Loftis in the Complaint of the United States (doc. #61) and Relators' Second Joint Amended Complaint (doc. #101) are deemed admitted and that the United States and Relators Becker and Spencer are entitled to judgment on all of the claims asserted against Defendant Loftis therein;

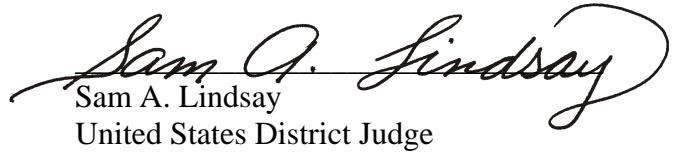
It is further ORDERED, ADJUDGED AND DECREED that Defendant Loftis is liable to the United States, in an amount to be determined at a later date, for knowingly causing false claims to be submitted to the United States of America in violation of 31 U.S.C. §3729(a)(1) (the Thirteenth Claim in the Complaint of the United States of America (doc. #61) and the Second and Fourth

Claims in the Relators' Second Joint Amended Complaint (doc. #101)), knowingly making, using, or causing to be made or used false records or statements to get false claims paid or approved by the United States of America in violation of 31 U.S.C. §3729(a)(2) (the Fourteenth Claim in the Complaint of the United States of America and the Second and Fourth Claims in the Relators' Second Joint Amended Complaint (doc. #101)), and knowingly making, using, or causing to be made or used, a false record or statement to conceal, avoid, or decrease an obligation to pay or transmit money or property to the United States (the Fifteenth Claim in the Complaint of the United States of America);

It is further ORDERED, ADJUDGED AND DECREED that Defendant Loftis is liable to the United States, in an amount to be determined at a later date, for conspiring to defraud the United States by getting false or fraudulent claims allowed or paid in violation of 31 U.S.C. §3729(a)(3) (the First and Fourth Claims in the Relators' Second Joint Amended Complaint (doc. #101));

It is further ORDERED, ADJUDGED AND DECREED that Defendant Loftis was unjustly enriched at the expense of the United States (the Sixteenth Claim in the Complaint of the United States of America) in an amount to be determined at a later date.

Signed this 27th day of July, 2009.



Sam A. Lindsay
United States District Judge